

# COMPLAINT

(for non-prisoner filers without lawyers)

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

2017 DEC 19 A 9:16

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

STEPHEN C. DRIES  
CLERK

(Full name of plaintiff(s))

Lisa Michelle Harmon

v.

Case Number:

17-C-1762

(Full name of defendant(s))

(to be supplied by Clerk of Court)

Wisconsin Regional Training Partnership

International Association of Machinists and Aerospace Workers District 10 AFL-CIO  
Union Lodge #66

## A. PARTIES

1. Plaintiff is a citizen of Wisconsin and resides at  
(State)

4656 North 68th Street Milwaukee, WI 53218  
(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Wisconsin Regional Training Partnership  
(Supervisor) Tracey S. Griffith (Name)  
(President) Mark Kessenich  
(HR/IT Person) Matthew Waltz  
Complaint - 1

**Defendants who are part of Federal Lawsuit**

**First Defendant: Wisconsin Regional Training Partnership**

Defendant: Tracey S. Griffith (Supervisor)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208

Defendant: Matthew Waltz (HR Person and IT Person)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208

Defendant: Mark Kessenich (President & CEO)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208

**Second Defendant: International Association of Machinists and Aerospace Workers District 10 AFL-CIO**

**Union Lodge #66**

Defendant: Patrick T. O'Connor (Assistant Director)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: District No. 10 IAMAW Union Lodge #66, 1650 South 38<sup>th</sup> Street  
Milwaukee, WI 53215

Defendant: Candace Seib (Union Shop Chair Rep.)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208  
and also is a part of the Union Lodge #66

Defendant: Kyle Ashely (Union Representative)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208  
and also a part of the Union Lodge #66

Defendant: Joe Nicosia (Union Representative)

Citizen of: Wisconsin

Resides at: Not Known

Worked for and also where harm occurred: WRTP/BIG STEP 3841 W. Wisconsin Ave. Milwaukee, WI 53208  
and also a part of the Union Lodge #66

is (if a person or private corporation) a citizen of Wisconsin  
(State, if known)

and (if a person) resides at N/A  
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Wisconsin Regional Training Partnership 3841 W. Wisconsin Ave  
Milwaukee, WI 53208 (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

**B. STATEMENT OF CLAIM**

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

**Violation of Title VII of the Civil Rights Act of 1964**

**First Defendant: Wisconsin Regional Training Partnership (W RTP)**

**Discrimination (Race)/Retaliation/Harassment for filing complaint with company, union, and EEOC** - On November 9<sup>th</sup> 2016 I started my employment with Wisconsin Regional Training Partnership located on 3841 W. Wisconsin Ave in Milwaukee, WI. I noticed about five weeks into my employment my Supervisor Tracey S. Griffith was treating me unfairly compared to my white females' co-workers in my Construction Unit. I have a statement from a co-worker who was interviewed by EEOC who stated because of my (meaning me Lisa) race I was not treated well by others and believes persons of color are not welcomed in the work unit.

On January 9<sup>th</sup> 2017 I was called into an unscheduled meeting that I was unaware of with Mark Kessenich (President) Matthew Waltz (HR/IT Person) and Tracey Griffith (Supervisor), during this meeting I informed Mark and Matthew how my Supervisor Tracey Griffith was treating me unfairly compared to my white female co-workers and the racist remark Tracey Griffith made on 12/07/16 about a Black African American subcontractor who works in the W RTP Building. I informed Tracey Griffith in the meeting that the racist remark was offensive to me and she did not deny that she said it in the meeting.



I later spoke with Candace Seib (Union Shop Chair Rep.) on 01/09/17 and informed her also of the unfair treatment by my Supervisor Tracey Griffith. Candace stated to me "that bitch... I am tired of going through this with this bitch; I will not go through this with her no more. I know you are not lying because you are not the only one because other people have made complaints about her (Tracey S. Griffith) making racist remarks and her being racist...people have left the job because of her." Candace then called for two other union representatives to come to her office, Kyle Ashley and Joe Nicosia and Candace stated guess who and they both (Kyle and Joe) stated simultaneously Tracey. Candace stated she was going talk to Mark (President). On 01/10/17 I met with Candace Seib (Union Shop Chair Rep.) and she stated to me that I would be receiving an apology from my Supervisor Tracey Griffith and that management is taking this seriously and is going to handle the situation but this never happen. Because I reported my discrimination complaint against Tracey Griffith, Matthew Waltz (HR/IT Person) began treating me differently. Mark Kessenich (President) was aware of the situation.

**II. Discrimination/Retaliation/Harassment due to filing a complaint with Company and Union and EEOC** after making a verbal complaint the company began harassing and retaliating against me by making the workplace a hostile environment. I followed up with a formal complaint on January 11<sup>th</sup>, 2017 with my Union and on January 12<sup>th</sup>, 2017 Candace Seib (Union Shop Chair Rep.) e-mailed me and stated I had to file a formal complaint with Matthew Waltz (HR/IT Person). Due to me being out sick due to stress from harassment and retaliation by the Company, I filed the complaint with HR on 01/18/17 when I returned back to work. Matthew Waltz (HR/IT Person) met with me on 01/25/17 for an investigation regarding my discrimination complaint concerning my Supervisor Tracey Griffith and I never heard anything more regarding my discrimination complaint that I filed with HR against Tracey Griffith after this date (01/25/17). Then I received a false allegation disciplinary write-up on 01/27/17.

**III. Discrimination/Retaliation/Harassment- Disciplinary False Allegation Write-Ups and Wrongful Termination for filing a complaint with company, union and EEOC** – The harassment and retaliation continued by the company, which made it a hostile work environment for me to perform my work duties. Therefore I filed a complaint with the EEOC on 01/27/17 against Wisconsin Regional Training Partnership. After filing this complaint with the EEOC the harassment retaliating continued and increased making it a hostile work environment which made it more difficult for me to perform my work duties. I was written up multiple times (the first disciplinary write up was on 01/27/17 which was a verbal and written write up, on 02/24/17, 03/09/17 and 03/10/17) and all these disciplinary write ups were false allegations. Then on 03/16/17 I was wrongfully terminated. Due to this unfair treatment of discrimination/retaliation and harassment it caused me a lot of stress, as well as depression to the point where I had to seek medical attention. This also caused me embarrassment and my character was defamed. I am seeking remedies for lost wages for wrongful termination, defamation of character Breach of Employer/Union Collective Bargaining Agreement Contract, embarrassment, pain and suffering, and punitive damages.

**Second Defendant: International Association of Machinists and Aerospace Workers District 10 AFL-CIO Union Lodge #66.**

**Breach of the duty of Fair Representation:**

Candace Seib (Union Shop Chair Rep.), Kyle Ashley (Union Rep.) and Joe Nicosia (Union Rep) at Wisconsin Regional Training Partnership located at 3841 W. Wisconsin Ave. Milwaukee, WI 53208 and Patrick T O' Connor (Assist Director of District No.10 IAMAW) 1650 South 38<sup>th</sup> Street Milwaukee, WI 53215 all of the Union Representative list above have failed to fairly represent me. Due to my Union Representatives Breach of Duty of Fair Representation to represent me I did not get the satisfactory remedy of grievances and was wrongfully terminated from my job. I am seeking remedies for Breach of Duty of Fair Representation, Breach of Employer/Union Collective Bargaining Agreement Contract, pain and suffering, and punitive damages.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ \_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

**First Defendant: Wisconsin Regional Training Partnership**

**Relief Award**

I would like all false written and verbal write-ups and false allegations removed from my employee personnel file.

I would like a letter of recommendation

I would like to have my job restored and to come back to the workplace where I am not discriminated against due to my race

I would like the harassment and the retaliation to stop and the workplace not to be a hostile work environment for me.

I am requesting to have my wages restored since I have been off work from 03/16/17 to Current.

I am requesting for wages to be restored to IRA/SEP and Pension Accounts from the time I have been off work from 03/16/17 to Current.

I am requesting a year's salary (\$48,838.40) for pain and suffering

I am requesting \$150,000.00 for punitive damages

**Second Defendant: International Association of Machinists and Aerospace Workers**

**District 10 AFL-CIO Union Lodge #66.**

I am requesting \$50,000.00 for Breach of the Duty of Fair Representation

I am requesting a year's salary (\$48,838.40) for pain and suffering

I am requesting \$100,000.00 for punitive damages

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E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 19 day of December 20 17.

Respectfully Submitted,

Quia Harmon

Signature of Plaintiff

(414) 218-0577

Plaintiff's Telephone Number

lharmon32att.net

Plaintiff's Email Address

4656 North 68th Street

Milwaukee, WI 53218

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE**



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.